



S/N 10/038,639

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHERER ET AL.	Examiner:	D. HECKENBERG
Serial No.:	10/038,639	Group Art Unit:	1722
Filed:	JANUARY 4, 2002	Docket No.:	3616.213US01
Title:	CONCRETE BLOCK AND METHOD OF MAKING SAME (as amended)		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL 976594286 US

Date of Deposit: February 9, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

*Teresa Anderson*

Name: Teresa Anderson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application.

Please charge Deposit Account No. 13-2725 the fee of \$180.00 for consideration of the items listed on the enclosed Form 1449.

The Kobra Formen website information was printed from the Kobra Formen website on February 13, 2002. However, Applicants admit that this website information was available on the Kobra Formen website prior to Applicant's filing date of January 4, 2002.

In addition, English translations of DE 100 02 390 and DE 196 34 499, which were cited by Applicants in an Information Disclosure Statement filed on May 8, 2003, are enclosed.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

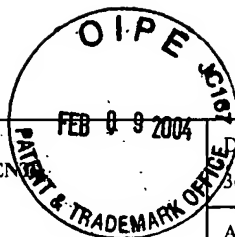
Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 322-5300

Date: February 9, 2004



James A. Larson  
James A. Larson  
Reg. No. 40,443



FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

3616.213US01

Application Number:

10/038,639

Applicant: SCHERER et al.

Filing Date: January 4, 2002

Group Art Unit: 1722

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Kobra Formen website print out, printed February 13, 2002 from www.kobra-formen.de, 4 pages.

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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.